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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To direct the Secretary of Agriculture to establish the alternative manure management program, and for other purposes.

\_\_\_\_\_  
**IN THE HOUSE OF REPRESENTATIVES**

Mr. COSTA introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To direct the Secretary of Agriculture to establish the alternative manure management program, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Converting Our Waste  
5       Sustainably (COWS) Act of 2023”.

1 **SEC. 2. ALTERNATIVE MANURE MANAGEMENT PROGRAM.**

2 Chapter 5 of subtitle D of title XII of the Food Secu-  
3 rity Act of 1985 (16 U.S.C. 3839bb et seq.) is amended  
4 by adding at the end the following:

5 **“SEC. 1240S. ALTERNATIVE MANURE MANAGEMENT PRO-**  
6 **GRAM.**

7 “(a) DEFINITIONS.—In this section:

8 “(1) ALTERNATIVE MANURE MANAGEMENT  
9 PROGRAM.—The term ‘alternative manure manage-  
10 ment program’ means the program established under  
11 subsection (b).

12 “(2) COVERED MANAGEMENT MEASURE.—The  
13 term ‘covered management measure’ means a dairy  
14 or livestock operation method that is used by an eli-  
15 gible producer to reduce baseline methane emissions  
16 and, where applicable, improve carbon sequestration  
17 on the operation of such eligible producer, including  
18 the measures described in subparagraphs (A)  
19 through (D) in subsection (f)(2).

20 “(3) ELIGIBLE PRODUCER.—The term ‘eligible  
21 producer’ means a dairy or livestock producer—

22 “(A) who agrees to reduce greenhouse gas  
23 emissions by adopting at least 1 covered man-  
24 agement measure as an alternative or com-  
25 plement to anaerobic systems that capture  
26 methane emissions;

1           “(B) whose baseline manure management  
2           practices prior to enrollment in the alternative  
3           manure management program include the an-  
4           aerobic decomposition of volatile solids stored in  
5           a lagoon or other predominantly liquid anaer-  
6           obic environment; or

7           “(C) in the case of a dairy or livestock pro-  
8           ducer whose baseline manure management  
9           practices prior to enrollment in the alternative  
10          manure management program includes an an-  
11          aerobic system that captures methane emis-  
12          sions, that can replace or complement such an-  
13          aerobic system with a covered management  
14          measure.

15          “(4) PASTURE-BASED MANAGEMENT.—The  
16          term ‘pasture-based management’ means a dairy or  
17          livestock production system—

18               “(A) that eliminates or reduces the quan-  
19               tity of manure stored in anaerobic conditions;  
20               and

21               “(B) in which the livestock spend all or a  
22               substantial portion of time grazing on fields in  
23               which some or all of the manure is deposited  
24               and left in the field to decompose aerobically.

1           “(5) SOLID SEPARATION SYSTEM.—The term  
2       ‘solid separation system’ means a system that is de-  
3       signed to separate liquid components of manure  
4       from mineral and organic solid components of such  
5       manure.

6           “(b) ESTABLISHMENT.—The Secretary shall estab-  
7       lish an alternative manure management program to award  
8       contracts to eligible producers to support carbon seques-  
9       tration and greenhouse gas emissions reductions by imple-  
10      menting covered management measures.

11          “(c) SUBMISSION OF INDIVIDUAL CONTRACT OF-  
12      FERS.—To be eligible to participate in the alternative ma-  
13      nure management program, an eligible producer shall sub-  
14      mit to the Secretary a contract offer that details any cov-  
15      ered management measure to be used on the operation of  
16      such eligible producer.

17          “(d) CLUSTER CONTRACT OFFERS.—The Secretary  
18      shall establish procedures under which—

19               “(1) a group of producers may submit a joint  
20      contract offer for a shared composting facility; and

21               “(2) the Secretary will allocate payments to  
22      each eligible producer associated with such joint con-  
23      tract.

24          “(e) DUTIES OF SECRETARY.—

1           “(1) EVALUATION CRITERIA.—The Secretary  
2           shall develop criteria for evaluating and ranking con-  
3           tract offers to prioritize contract offers that will  
4           maximize—

5                   “(A) carbon sequestration;

6                   “(B) greenhouse gas emissions reductions;

7                   and

8                   “(C) the overall environmental and public  
9           health benefits.

10           “(2) PRIORITY.—In awarding contracts under  
11           this section, the Secretary, using the criteria devel-  
12           oped under paragraph (1), shall give priority to con-  
13           tract offers that address air quality, water quality,  
14           or other public health concerns associated with dairy  
15           and livestock operations located near low-income or  
16           underserved communities.

17           “(3) GROUPING OF CONTRACT OFFERS.—The  
18           Secretary may group and evaluate contract offers  
19           relative to other contract offers for similar farming  
20           operations.

21           “(4) GEOGRAPHICAL DIVERSITY.—In awarding  
22           contracts under this section, the Secretary shall en-  
23           sure geographical diversity.

24           “(f) CONTRACT PROVISIONS.—

1           “(1) TERM.—A contract awarded under this  
2           section shall have a term that does not exceed 3  
3           years.

4           “(2) COVERED MANAGEMENT MEASURES.—  
5           Each eligible producer requesting funding under the  
6           alternative manure management program shall im-  
7           plement at least one of the following:

8                   “(A) With respect to pasture-based man-  
9                   agement—

10                           “(i) adopting pasture-based manage-  
11                           ment;

12                           “(ii) converting a non-pasture dairy or  
13                           livestock operation to pasture-based man-  
14                           agement;

15                           “(iii) increasing the amount of time  
16                           livestock spend at pasture at an existing  
17                           pasture operation; or

18                           “(iv) improving pasture-based man-  
19                           agement, including transitioning to man-  
20                           agement-intensive rotational grazing, as  
21                           defined in section 1240L(d).

22                   “(B) Adopting alternative manure treat-  
23                   ment and storage practices, including—

24                           “(i) the installation of a compost-bed-  
25                           ded pack barn that composts manure;

1 “(ii) the installation of a slatted floor  
2 pit storage manure collection that is  
3 cleaned out at least once a month; or

4 “(iii) other similar practices, as deter-  
5 mined by the Secretary.

6 “(C) Adopting a solid separation system—

7 “(i) or—

8 “(I) installing a new solid separa-  
9 tion system that has a significantly  
10 higher separation efficiency than any  
11 existing solid separation system; or

12 “(II) developing or retrofitting a  
13 manure management system that pri-  
14 marily avoids wet handling infrastruc-  
15 ture; and

16 “(ii) in conjunction with one or more  
17 of the following management measures:

18 “(I) Open solar drying or  
19 composting of manure onsite.

20 “(II) Solar drying in an enclosed  
21 environment.

22 “(III) Forced evaporation with  
23 natural-gas fueled dryers.

24 “(IV) Storage of manure in  
25 unconfined piles or stacks.

1 “(V) Composting in an enclosed  
2 vessel, with forced aeration and con-  
3 tinuous mixing.

4 “(VI) Composting in piles with  
5 forced aeration without mixing.

6 “(VII) Composting in intensive  
7 windrows with regular turning for  
8 mixing and aeration.

9 “(VIII) Composting in passive  
10 windrows with infrequent turning for  
11 mixing and aeration.

12 “(IX) Vermiculture or  
13 Vermifiltration.

14 “(X) Other similar management  
15 measures, as determined by the Sec-  
16 retary.

17 “(D) Adopting scrape technologies, includ-  
18 ing vacuum technologies, in conjunction with  
19 one of the management measures listed in sub-  
20 clauses (I) through (IX) of subparagraph  
21 (C)(ii).

22 “(3) DUTIES OF ELIGIBLE PRODUCERS UNDER  
23 CONTRACT.—To receive payments under the alter-  
24 native manure management program, an eligible  
25 producer shall—



1           “(A) implement one or more covered man-  
2           agement measures;

3           “(B) supply information as required by the  
4           Secretary to determine compliance with the re-  
5           quirements of the alternative manure manage-  
6           ment program; and

7           “(C) comply with such additional provi-  
8           sions as the Secretary determines are necessary  
9           to carry out the alternative manure manage-  
10          ment program.

11       “(g) PAYMENTS TO ELIGIBLE PRODUCERS.—

12           “(1) IN GENERAL.—During the fiscal years  
13       2024 through 2029, the Secretary shall provide pay-  
14       ments to eligible producers that enter into contracts  
15       with the Secretary under the alternative manure  
16       management program.

17           “(2) AVAILABILITY OF PAYMENTS.—Payments  
18       provided to an eligible producer under this section  
19       may be used to implement one or more covered man-  
20       agement measures.

21       “(3) COST-SHARING.—

22           “(A) FEDERAL SHARE.—The Federal  
23       share of the costs associated with planning, de-  
24       sign, materials, equipment, installation, labor,  
25       management, maintenance, and training related

1 to implementing a covered management meas-  
2 ure under the alternative manure management  
3 program shall not exceed 90 percent.

4 “(B) NON-FEDERAL SHARE.—The non-  
5 Federal share of the costs described in subpara-  
6 graph (A) may include in-kind contributions  
7 from eligible producers that enter into a con-  
8 tract under the alternative manure management  
9 program.

10 “(4) LIMITATION ON PAYMENTS.—A person or  
11 legal entity (including a joint venture and a general  
12 partnership) may not receive, directly or indirectly,  
13 payments under the alternative manure management  
14 program that exceed \$825,000 during any 5-year pe-  
15 riod.

16 “(5) ADVANCED PAYMENTS.—The Secretary  
17 shall provide at least 50 percent of the amount of  
18 total payments to an eligible producer in advance for  
19 all costs related to—

20 “(A) purchasing or contracting materials  
21 and equipment; or

22 “(B) any technical assistance provided by  
23 the Secretary.

24 “(h) MODIFICATION OR TERMINATION OF CON-  
25 TRACTS.—

1           “(1) VOLUNTARY MODIFICATION OR TERMI-  
2           NATION.—The Secretary may modify or terminate a  
3           contract entered into with an eligible producer under  
4           the alternative manure management program if—

5                   “(A) such eligible producer agrees to such  
6                   modification or termination; and

7                   “(B) the Secretary determines that such  
8                   modification or termination is in the public in-  
9                   terest.

10           “(2) INVOLUNTARY TERMINATION.—The Sec-  
11           retary may terminate a contract under the alter-  
12           native manure management program if the Sec-  
13           retary determines that an eligible producer violated  
14           such contract.

15           “(i) DUTIES OF THE SECRETARY.—The Secretary  
16           shall—

17                   “(1) determine and publish factors for esti-  
18                   mating the carbon sequestrations and greenhouse  
19                   gas emissions reductions for each covered manage-  
20                   ment measure, including the management measures  
21                   listed in subclauses (I) through (IX) in subsection  
22                   (f)(2)(C)(ii);

23                   “(2) assist an eligible producer in achieving the  
24                   carbon sequestration, greenhouse gas emissions re-  
25                   duction, and other environmental and public health

1 goals of the alternative manure management pro-  
2 gram by—

3 “(A) providing payments for developing  
4 and implementing one or more covered manage-  
5 ment measures, as appropriate; and

6 “(B) providing such eligible producer with  
7 information, technical assistance, and training  
8 to aid in implementation of the covered man-  
9 agement measures; and

10 “(3) review the adequacy of existing conserva-  
11 tion practice standards for supporting the covered  
12 management measures and, if necessary—

13 “(A) revise existing conservation practice  
14 standards; and

15 “(B) develop new conservation practice  
16 standards.

17 “(j) TECHNICAL ASSISTANCE.—In providing tech-  
18 nical assistance under the alternative manure manage-  
19 ment program, the Secretary shall apply the provisions in  
20 subsection (c) of section 1241 and section 1242, except  
21 that the Secretary shall—

22 “(1) apportion not more than 15 percent of the  
23 total funding available for the alternative manure  
24 management program for the provision of technical  
25 assistance; and

1           “(2) enter into cooperative agreements with  
2           third party providers with relevant expertise in the  
3           covered management measures to ensure adequate  
4           technical services are available to alternative manure  
5           management program applicants.

6           “(k) FUNDING.—

7           “(1) IN GENERAL.—The Secretary shall use the  
8           funds, facilities, and authorities of the Commodity  
9           Credit Corporation to carry out the alternative ma-  
10          nure management program (including the provision  
11          of technical assistance described in subsection (i))  
12          using \$1,500,000,000 for the period of fiscal years  
13          2024 through 2028.

14          “(2) RESERVATION OF FUNDS.—The Secretary  
15          shall reserve a majority of the funds made available  
16          by paragraph (1) for —

17                  “(A) beginning farmers or ranchers;

18                  “(B) limited resource farmers and ranch-  
19                  ers;

20                  “(C) socially disadvantaged farmers and  
21                  ranchers; and

22                  “(D) farmers and ranchers that continue  
23                  to transition towards enhanced methods of se-  
24                  questering carbon dioxide, methane, or nitrous  
25                  oxide emissions.”.

1 **SEC. 3. ERODIBLE LAND AND WETLAND CONSERVATION**  
2 **AND RESERVE PROGRAM.**

3 Section 1201(a) of the Food Security Act of 1985  
4 (16 U.S.C. 3801(a)) is amended—

5 (1) by redesignating paragraphs (3) through  
6 (27) as paragraphs (4) through (28), respectively;  
7 and

8 (2) by inserting after paragraph (2) the fol-  
9 lowing:

10 “(3) COMPOSTING PRACTICE.—The term  
11 ‘composting practice’ means—

12 “(A) an activity (including an activity that  
13 does not require the use of a composting facil-  
14 ity) to produce compost from organic waste  
15 that is—

16 “(i) generated on a farm; or

17 “(ii) brought to a farm from the near-  
18 by community; and

19 “(B) the use and active management of  
20 compost on a farm to improve water retention  
21 and soil health, subject to the condition that  
22 such use shall be in compliance with applicable  
23 Federal, State, and local laws.”.

1   **SEC. 4. ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.**

2           Section 1240A(6)(A)(ii) of the Food Security Act of  
3   1985 (16 U.S.C. 3839aa–1(6)(A)(ii)) is amended by in-  
4   serting “and composting practices” before the semicolon.

5   **SEC. 5. CONSERVATION STEWARDSHIP PROGRAM.**

6           Section 1240I(2)(B)(i) of the Food Security Act of  
7   1985 (16 U.S.C. 3839aa–21(2)(B)(i)) is amended by in-  
8   serting “and composting practices” after “drainage man-  
9   agement systems”.

10   **SEC. 6. DELIVERY OF TECHNICAL ASSISTANCE.**

11          Section 1242(h) of the Food Security Act of 1985  
12   (16 U.S.C. 3842(h)) is amended by adding at the end the  
13   following:

14               “(5) DEVELOPMENT OF COMPOSTING PRACTICE  
15               STANDARD.—Not later than one year after the date  
16               of enactment of this paragraph, the Secretary  
17               shall—

18                       “(A) conduct a review of the composting  
19                       facilities practice standard and the soil carbon  
20                       amendment practice standard to determine  
21                       their adequacy in advancing alternative manure  
22                       management and on-farm composting genera-  
23                       tion and utilization; and

24                       “(B) develop and implement a new con-  
25                       servation practice standard for the on-farm pro-  
26                       duction of compost.”.